

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

The variance is in regards to a building setback for a country club clubhouse and has no adverse impact on health, safety or welfare. The new building will actually have a positive impact on health, safety and welfare, as new building includes an elevator and sprinkler system.

2. Explain how the variance will not alter the essential character of the general vicinity.

This is a existing private facility that is 450' from the nearest adjacent property owner and is surrounded by landscaping and golf course. The new clubhouse addition is replacing an existing / outdated portion of clubhouse. New addition will be in exact location of property as the replaced.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

See answer to #2.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

See answer #2.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

Country Clubs were not taken into consideration when adopting these regulations. The golf course / clubhouse just happens to be within the R-4 district. The country club and course pre-dates the zoning.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The club simply wishes to replace their outdated portion of clubhouse with a new one. Meeting the regulations would place the new clubhouse in the middle of a green or fairway of the golf course, and alter the existing character of the course/ landscaping in a negative way.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No. The existing buildings on site have been there since well before the LDC was adopted.

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Sidewalk Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

The intent is to request a waiver from the requirement of constructing a sidewalk from the building to the R/W. Paved paths and roads already exist.

2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

The existing use is a private Country Club with 100% of members and employees driving to and from the club. Country Club and golf course function is not currently a defined use group- No negative impact upon comprehensive plan.

3. What impacts will granting of the waiver have on adjacent property owners?

No impacts. The development is over .25 miles away from the nearest adjacent property owner.

4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

It would take 2000 lf of sidewalk from the R/W to the building to meet the regulations. This would be a cost burden to the owner for a sidewalk that would never get used.

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